

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 5, 2020

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH MALDONADO-PASSAGE,
a/k/a Joseph Allen Maldonado, a/k/a
Joseph Allen Schreibvogel, a/k/a Joe
Exotic,

Defendant - Appellant.

No. 20-6010
(D.C. No. 5:18-CR-00227-SLP-1)
(W.D. Okla.)

ORDER

This matter is before the court on the Office of the Federal Public Defender for the Districts of Colorado and Wyoming's (FPD) *Motion to Withdraw as Appointed Counsel*. Appellant Joseph Maldonado-Passage has retained attorney Brandon Sample, and Mr. Sample has entered his appearance in this appeal.

Upon consideration, the motion to withdraw is granted. The FPD shall have no further obligations in this appeal. However, on or before June 15, 2020, the FPD is directed to transmit to Mr. Sample all documents in its possession pertinent to this appeal that are not available electronically or on PACER.

In addition, we note the following impact of the entry of retained counsel on this appeal. This appeal was proceeding under the Criminal Justice Act with a record on appeal that was already transmitted by the district court. The appeal will now proceed

under Federal Rule of Appellate Procedure 30 and Tenth Circuit Rule 30.1, and Mr. Maldonado-Passage will be required to file an appendix concurrently with his opening brief.

Finally, because Mr. Maldonado-Passage was previously represented by the FPD, Mr. Maldonado-Passage shall show cause to this court in writing why he should not be ordered to reimburse the government for expenses paid on his behalf under the Criminal Justice Act. *See* 18 U.S.C. § 3006A(f); 10th Cir. R. Addendum I, Criminal Justice Act Plan, § V. Mr. Maldonado-Passage's current financial status and continued eligibility to proceed *in forma pauperis*, as well as the source of payment of retained counsel's legal expenses, are relevant to the response. Mr. Maldonado-Passage's response to this order must be filed and served on or before June 15, 2020.

Mr. Maldonado-Passage's opening brief remains due June 25, 2020.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



By: Olenka M. George
Counsel to the Clerk